

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION**

UNITED STATES and STATE OF TEXAS
ex rel. DANIEL W. ELLIOTT, M.D. and
LISA A. MINSLOFF, M.D.,

No. 1:23-CV-00329-MJT

Plaintiffs,

v.

SOUTHEAST TEXAS MEDICAL
ASSOCIATES, LLP et al.,

Defendants.

JOINT NOTICE OF PENDING SETTLEMENT

Relators Daniel W. Elliott, M.D. and Lisa A. Minsloff, M.D. (“Relators”) and Defendants Southeast Texas Medical Associates, LLP (“SETMA”), Muhammad Aziz, M.D., Mary Castro, M.D., Vijay Kumar, M.D., Michael Thomas, M.D., Syed Anwar, M.D., Caesar Deiparine, M.D., Ronald Palang, M.D., Absar Qureshi, M.D., and Dean Halbert, M.D.’s (together with SETMA, the “SETMA Defendants”), and Defendant OnPoint Lab, L.L.C. (“OnPoint”) file this Joint Notice of Pending Settlement.

On December 30, 2023, Relators, the SETMA Defendants, and OnPoint reached a settlement in principle to settle all Relators’ claims against the SETMA Defendants and OnPoint in this action. Final settlement is subject to government approval. Relators, through their undersigned counsel, have notified the United States and the State of Texas of the proposed settlement terms and have requested approval. The settling parties are working with the government to finalize a settlement that will result in Relators dismissing, with prejudice, the SETMA Defendants and OnPoint from this action.

Dated: January 3, 2024

Respectfully submitted,

/s/ Joshua M. Russ

Joshua M. Russ

Texas Bar No. 24074990

josh.russ@rm-firm.com

Joel W. Reese

Texas Bar No. 00788258

joel.reese@rm-firm.com

Adam Sanderson

Texas State Bar No. 24056264

adam.sanderson@rm-firm.com

Andrew O. Wirmani

Texas Bar No. 24052287

andrew.wirmani@rm-firm.com

Tyler J. Bexley

Texas Bar No. 24073923

tyler.bexley@rm-firm.com

Brett S. Rosenthal

Texas Bar No. 24080096

brett.rosenthal@rm-firm.com

Allison N. Cook

Texas Bar No. 24091695

allison.cook@rm-firm.com

REESE MARKETOS LLP

joel.reese@rm-firm.com

750 N. Saint Paul St. Ste. 600

Dallas, Texas 75201-3201

Telephone: (214) 382-9810

Facsimile: (214) 501-0731

Joseph J. Mastrogiovanni, Jr.

Texas Bar No. 13184380

MASTROGIOVANNI MERSKY &

FLYNN, P.C.

jmastro@mastromersky.com

Mastrogiovanni

Mersky & Flynn, P.C.

2001 Bryan Street, Suite 1250

Dallas, Texas 75201

Telephone: (214) 922-8800

Facsimile: (214) 922-8801

/s/ David W. Klaudt

David W. Klaudt

State Bar No. 00796073

James Peacock

State Bar No. 00791419

Greenberg Traurig, LLP

2200 Ross Avenue, Suite 5200

Dallas, TX 75201

Tel: 214-665-3600

Fax: 214-665-3601

david.klaudt@gtlaw.com

**ATTORNEY FOR DEFENDANTS,
Southeast Texas Medical Associates,
LLP; Muhammad Aziz, M.D.; Mary
Castro, M.D.; Vijay Kumar, M.D.;
Michael Thomas, M.D.; Syed Anwar,
M.D.; Caesar Deiparine, M.D.; Ronald
Palang, M.D.; Absar Qureshi, M.D.;
and Dean Halbert, M.D.**

/s/ Dennis L. Roossien, Jr.

Dennis L. Roossien, Jr.

State Bar No. 00784873

MUNSCH HARDT KOPF & HARR,
P.C.

500 N. Akard Street, Suite 3800

Dallas, TX 75201

Tel: 214-855-7535

droossien@munsch.com

**ATTORNEY FOR DEFENDANT,
OnPoint Lab, L.L.C.**

ATTORNEYS FOR RELATORS

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of this document was filed on January 3, 2024, through the ECF system, and will thereby be sent electronically to the registered participants as identified on the Notice of Electronic Filing.

/s/ Joshua M. Russ

Joshua M. Russ